

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
AUGUST 2013



Jamal L. Smith
Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries	303	263	288	359	342	309	342	334					2540
Number of Complaints Drafted	66	77	81	113	99	89	97	91					716
% of inquiries drafted	22%	29%	28%	31%	29%	29%	28%	27%					36%
Employment	54	60	66	83	81	69	65	68					546/77%
Housing (Real Estate)	4	2	7	10	3	11	14	16					67/9%
Public Accommodation	7	12	4	13	10	9	15	4					74/10%
Credit	0	0	0	0	0	0	0	0					0/0%
Education	1	3	4	7	5	0	3	3					26/4%
Unknown	0	0	0	0	0	0	0	0					0/0%
Number of Complaints Formalized	63	56	65	88	83	87	96	75					613
Employment	47	39	43	59	59	74	61	51					433
Transferred from EEOC*	3	0	0	0	2	19	22	3					49
Housing (Real Estate)	9	7	14	9	13	5	24	12					93
Transferred from HUD**	3	2	5	1	2	2	7	4					26
Public Accommodation	6	8	4	14	10	5	10	11					68
Credit	0	0	0	0	0	0	0	0					0
Education	1	2	4	6	1	3	1	1					19

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries by Region	303	263	288	359	342	309	342	334					2540
Region 1	32	23	26	34	35	38	48	39					275
Region 2	23	26	30	29	27	27	34	23					219
Region 3	17	23	17	18	27	31	28	26					187
Region 4	10	9	9	18	11	9	10	14					90
Region 5	135	122	131	169	158	132	133	137					1117
Region 6	25	17	19	21	33	28	31	31					205
Region 7	8	14	10	24	10	9	4	8					87
Region 8	18	8	12	18	18	12	32	19					137
Region 9	25	17	30	21	16	19	14	30					172
Unknown/Out of State	10	4	4	7	7	3	8	7					50

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
% of Aged Cases by Area													
Employment	19%	11%	8%	5%	2%	3%	1%	.9%					6%
Housing (Real Estate)	0%	6%	0%	0%	0%	0%	0%	0%					1%
Public Accommodation	10%	2%	9%	0%	2%	2%	0%	9%					4%
Credit	0%	0%	0%	0%	0%	0%	0%	0%					0%
Education	23%	13%	6%	11%	10%	5%	5%	9%					10%
Open Cases by Area													
Employment	288	291	295	317	354	404	425	451					
Housing (Real Estate)	38	35	39	44	50	35	52	61					
Public Accommodation	61	63	59	68	75	76	82	90					
Credit	0	0	0	0	0	0	0	0					
Education	20	22	25	27	28	29	29	31					

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Number of Cases Closed	39	53	45	31	27	42	45	29					311
Employment	26	38	30	20	17	15	38	17					201
Housing (Real Estate)	12	9	6	5	7	19	2	9					69
Public Accommodation	1	6	8	4	1	6	4	3					33
Education	0	0	1	2	2	2	1	0					8
Credit	0	0	0	0	0	0	0	0					0
Type of Closure													
NPC	21	39	28	21	18	23	35	10					195
CWS	9	10	13	6	5	10	5	4					62
CW	2	3	2	2	1	4	3	2					19
AD	3	1	0	2	3	5	2	6					22
FO	4	0	2	0	0	0	0	7					13

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Probable/Reasonable Cause Findings	1	5	6	6	3	5	4	2					32
Employment	1	5	2	0	2	1	4	1					16
Housing (Real Estate)	0	0	1	1	0	3	0	1					6
Public Accommodation	0	0	3	4	1	0	0	0					8
Education	0	0	0	1	0	1	0	0					2
Credit	0	0	0	0	0	0	0	0					0
Active Cases													
Employment	31	33	32	33	34	33	32	34					
Housing (Real Estate)	14	15	14	14	14	17	17	15					
Public Accommodation	8	8	8	8	8	8	8	8					
Education	5	5	5	5	5	5	5	5					
Credit	0	0	0	0	0	0	0	0					
Average Age of Cases since NOF*	430	429	462	439	458	456	447	461					

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Garr, B. v. Kia Muncie is an employment case based on disability. Complainant alleged that he was terminated due to his disability.

Meyer, S. v. Zender Family Limited Partnership is a housing case based on disability. Complainant alleged that she was denied a reasonable accommodation.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

Benton v. Greenwood Meadows is an employment case based on sex. Complainant alleged that he/she was terminated because she was pregnant. The case was closed with a settlement.

Driver-Hogue v. MSD Pike Township is an employment case based on race. Complainant alleged that she was terminated because of her race. The case was decided in favor of the Respondent by the Administrative Law Judge.

Gray v. Shangri La is an employment case based on disability. Complainant alleged that Respondent did not hire him because he is disabled. The case was decided in favor of the Complainant by the Administrative Law Judge.

Moore v. King Gyro's is an employment case based on sex. Complainant alleged that she was sexually harassed. The case was decided in favor of the Complainant by the Administrative Law Judge.

Ramos v. Tipton County Auditor is an employment case based on disability. Complainant alleged that she was terminated because of her disability. The case was withdrawn.

Sheets v. Masco is an employment case based on sex. Complainant alleged that she was sexually harassed. The case was decided in favor of the Complainant by the Administrative Law Judge.

Simpson v. Preferred Towing is an employment case based on sex. Complainant alleged that she was sexually harassed. The case was decided in favor of the Complainant by the Administrative Law Judge.

Stevens v. MSD Pike Township is an employment case based on race. Complainant alleged that he was terminated because of his race. The case was decided in favor of the Respondent by the Administrative Law Judge.

Articles of Interest:

What's up with those Citilink ads about Indiana Civil Rights Commission? (August 29, 2013, Frost Illustrated) <http://www.frostillustrated.com/2013/whats-up-with-citilink-ads-about-indiana-civil-rights-commission/>

Shelby Co. man says King's words still powerful (August 28, 2013, Shelby News) <http://www.shelbynews.com/articles/2013/08/28/news/doc521e1042c41cf379734709.txt>

Hoosiers commemorate March on Washington (August 28, 2013, WISH-TV)

<http://www.wishtv.com/news/local/hoosiers-commemorate-march-on-washington>

Third Annual Art, Writing and Multimedia Contest to honor Dr. King (August 27, 2013, ICRC Newsroom)

<http://www.in.gov/mlkihc/2365.htm>

Gary mayor continues to fight racism (August 27, 2013, Indiana Daily Student)

<http://www.idsnews.com/news/story.aspx?id=93715>

MCBA's Annual Kuykendall-Conn Dinner tonight to honor former ICRC Director (August 23, 2013)

<https://mcbakuykendallconn.eventbrite.com/>

EEOC's New York District Office and Mexican Consulate sign historic pact (August 22, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/index.cfm>

Country to celebrate 50th Anniversary of the March on Washington (August 22, 2013, WISH-TV)

<http://www.wishtv.com/news/local/country-to-celebrate-march-on-washington-50th-anniversary>

HUD charges Fifth Third Bank, Mortgage Broker with discrimination against disabled couple (August 22, 2013)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-128A

Business Line: Muncie dealership cited (August 19, 2013, Muncie Star Press)

<http://www.thestarpress.com/article/20130819/BUSINESS/308200007/Business-line-Muncie-dealership-cited>

Kia Muncie charged with violating Indiana Civil Rights Law and ADA (August 15, 2013, ICRC Newsroom)

<http://www.in.gov/icrc/2702.htm>

Forest Whitaker: 'Butler' shows personal impact of civil rights (August 15, 2013, Washington Post)

http://www.washingtonpost.com/posttv/entertainment/forest-whitaker-butler-shows-personal-impact-of-civil-rights/2013/08/15/45b612da-05af-11e3-bfc5-406b928603b2_video.html

Lake station event to feature health screenings, haircuts (August 13, 2013, Northwest Indiana Times)

http://www.nwitimes.com/news/local/lake/lake-station/lake-station-event-to-feature-health-screenings-haircuts/article_a4ff26a8-2bb9-5ee6-9fba-c6a81b6c9fe6.html

White Sox gearing up for Civil Rights Game (August 13, 2013, MLB.com)

http://mlb.mlb.com/news/article.jsp?ymd=20130813&content_id=56858430&vkey=news_mlb&c_id=mlb

EEOC sues Checkers for pay discrimination (August 12, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/8-12-13.cfm>

HUD awards \$1.7 billion to improve, preserve public housing (August 8, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories

Examining Ind.'s 2nd Chance Law (August 8, 2013, Journal Review)

http://www.journalreview.com/opinion/article_36e5e542-ff87-11e2-b607-0019bb2963f4.html